

Plum (*Prunus americana*)
 Pomegranate (*Punica granatum*)
 Prickly pear (*Opuntia megacantha*)
 (*Opuntia ficus indica*)
 Prune (*Prunus domestica*)
 Pummelo (*Citrus grandis*)
 Quince (*Cydonia oblonga*)
 Rose apple (*Eugenia jambos*)
 Sandalwood (*Santalum paniculatum*)
 Sandalwood, white (*Santalum album*)
 Santol (*Sandericum koetjape*)
 Sapodilla (*Manilkara zapota*)
 Sapodilla, chiku (*Manilkara zapota*)
 Sapota, white (*Casimiroa edulis*)
 Seagrape (*Coccoloba uvifera*)
 Sour orange (*Citrus aurantium*)
 Soursop (*Annona muricata*)
 Star apple (*Chrysophyllum cainito*)
 Surinam cherry (*Eugenia uniflora*)
 Tomato (*Lycopersicon esculentum*)
 Tropical almond (*Terminalia catappa*)
 (*Terminalia chebula*)
 Velvet apple (*Diospyros discolor*)
 Walnut (*Juglans hindsii*)
 Walnut, English (*Juglans regia*)
 Wampi (*Citrus lansium*)
 West Indian cherry (*Malpighia puniceifolia*)
 Ylang-Ylang (*Cananga odorata*)

Any fruits, nuts, vegetables, or berries that are canned or dried or frozen below -17.8 °C. (0 °F.) are not regulated articles.

(b) Soil within the drip area of plants that are producing or have produced the fruits, nuts, vegetables, or berries listed in paragraph (a) of this section.

(c) Any other product, article, or means of conveyance not covered by paragraph (a) or (b) of this section that an inspector determines presents a risk of spread of the Oriental fruit fly and notifies the person in possession of it that the product, article, or means of conveyance is subject to the restrictions of this subpart.

[58 FR 8521, Feb. 16, 1993; 58 FR 29028, May 18, 1993, as amended at 71 FR 66832, Nov. 17, 2006]

§ 301.93-3 Quarantined areas.

(a) Except as otherwise provided in paragraph (b) of this section, the Administrator will list as a quarantined area in paragraph (c) of this section each State, or each portion of a State, in which the Oriental fruit fly has been found by an inspector, in which the Administrator has reason to believe that the Oriental fruit fly is present, or that the Administrator considers necessary to regulate because of its proximity to the Oriental fruit fly or its inseparability for quarantine enforcement

purposes from localities in which the Oriental fruit fly has been found. Less than an entire State will be designated as a quarantined area only if the Administrator determines that:

(1) The State has adopted and is enforcing restrictions on the intrastate movement of the regulated articles that are substantially the same as those imposed by this subpart on the interstate movement of regulated articles; and

(2) The designation of less than the entire State as a quarantined area will prevent the interstate spread of the Oriental fruit fly.

(b) The Administrator or an inspector may temporarily designate any nonquarantined area in a State as a quarantined area in accordance with the criteria specified in paragraph (a) of this section for listing quarantined areas. The Administrator will give written notice of this temporary designation to the owner or person in possession of the nonquarantined area; thereafter, the interstate movement of any regulated article from an area temporarily designated as a quarantined area is subject to this subpart. As soon as practicable, this area will be added to the list in paragraph (c) of this section or the designation will be terminated by the Administrator or an inspector. The owner or person in possession of an area for which designation is terminated will be given notice of the termination as soon as practicable.

(c) The areas described below are designated as quarantined areas:

California

San Bernardino County. That portion of San Bernardino County in the Rialto area bounded by a line as follows: Beginning at the intersection of State Highway 201 and East Avenue; then north on East Avenue to Banyan Street; then east, northeast, north, and northeast on Banyan Street to Wardman Bullock Road; then north and northwest on Wardman Bullock Road to Colonero Road; then north along an imaginary line from the intersection of Wardman Bullock Road and Colonero Road to its intersection with the southern boundary line of the San Bernardino National Forest; then east,

northeast, northwest, southeast, east, southeast, northeast, north, northeast, and east along the southern boundary line of the San Bernardino National Forest to its intersection with U.S. Interstate 15; then northeast on U.S. Interstate 15 to its next intersection with the San Bernardino National Forest boundary line; then northwest, north, northeast, southeast, east, northeast, southeast, and east along the San Bernardino National Forest boundary line to its intersection with Palm Avenue; then southwest on Palm Avenue to U.S. Interstate 215; then southeast on U.S. Interstate 215 to University Parkway; then southwest on University Parkway to N. State Street; then south on N. State Street to State Highway 210; then west on State Highway 210 to the Southern Pacific railroad track; then south, southwest, south, and southeast along the Southern Pacific railroad track to its intersection with W. Base Line Street; then west on W. Base Line Street to N. Pepper Avenue; then south on N. Pepper Avenue to State Highway 66; then west on State Highway 66 to N. Cactus Avenue; then south on N. Cactus Avenue to W. Rialto Avenue; then west on W. Rialto Avenue to W. Arrow Boulevard; then west on W. Arrow Boulevard to Arrow Boulevard; then west on Arrow Boulevard to Cherry Avenue; then north on Cherry Avenue to State Highway 66; then west on State Highway 66 to East Avenue; then north on East Avenue to the point of beginning.

[58 FR 8521, Feb. 16, 1993, as amended at 60 FR 18728, Apr. 3, 1995; 62 FR 45142, Aug. 26, 1997; 62 FR 47552, Sept. 10, 1997; 62 FR 53225, Oct. 14, 1997; 63 FR 16878, Apr. 7, 1998; 64 FR 31964, June 15, 1999; 64 FR 52214, Sept. 28, 1999; 64 FR 55812, Oct. 15, 1999; 65 FR 26488, May 8, 2000; 66 FR 46366, Sept. 5, 2001; 69 FR 56159, Sept. 20, 2004; 69 FR 67042, Nov. 16, 2004; 70 FR 10862, Mar. 7, 2005; 70 FR 11112, Mar. 8, 2005; 71 FR 66832, Nov. 17, 2006]

§ 301.93-4 Conditions governing the interstate movement of regulated articles from quarantined areas.

Any regulated article may be moved interstate from a quarantined area

only if moved under the following conditions:²

(a) With a certificate or limited permit issued and attached in accordance with §§ 301.93-5 and 301.93-8 of this subpart;

(b) Without a certificate or limited permit, if:

(1) The regulated article originated outside of any quarantined area and is moved directly through (without stopping except for refueling, or for traffic conditions, such as traffic lights or stop signs) the quarantined area in an enclosed vehicle or is completely enclosed by a covering adequate to prevent access by Oriental fruit flies (such as canvas, plastic, or closely woven cloth) while moving through the quarantined area; and

(2) The point of origin of the regulated article is indicated on the waybill, and the enclosed vehicle or the enclosure that contains the regulated article is not opened, unpacked, or unloaded in the quarantined area.

(c) Without a certificate or limited permit, if the regulated article is moved:

(1) By the United States Department of Agriculture for experimental or scientific purposes;

(2) Pursuant to a permit issued by the Administrator for the regulated article;

(3) Under conditions specified on the permit and found by the Administrator to be adequate to prevent the spread of Oriental fruit fly; and

(4) With a tag or label bearing the number of the permit issued for the regulated article attached to the outside of the container of the regulated article or attached to the regulated article itself if not in a container.

(Approved by the Office of Management and Budget under control number 0579-0088)

§ 301.93-5 Issuance and cancellation of certificates and limited permits.

(a) An inspector³ will issue a certificate for the interstate movement of a

²Requirements under all other applicable Federal domestic plant quarantines and regulations must also be met.

³Inspectors are assigned to local offices of the Animal and Plant Health Inspection Service, which are listed in telephone directories. Information concerning these offices